IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

KIMBERLY J. ERMAN, for herself and on)	
behalf of all similarly situated former hourly)	
employees of Cooker Restaurant,)	
)	
Plaintiff,)	Civil No. 3:04-1092
)	Judge Trauger
v.)	Magistrate Judge Griffin
)	
JERRY D. WETHINGTON, RIVER CAPITAL)	
PARTNERS, IV, L.P., RIVER CAPITAL)	
INVESTORS IV, L.P., and RIVER GENERAL)	
PARTNERS IV, LLC,)	
)	
Defendants.)	

ORDER

On August 21, 2006, the Magistrate Judge issued a Report and Recommendation, recommending that this case be dismissed with prejudice. (Docket No. 134) No timely objections have been filed. The Report and Recommendation is therefore **ACCEPTED** and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby **ORDERED** that this case is **DISMISSED WITH PREJUDICE**.

It is so **ORDERED**.

ENTER this 25th day of September 2006.

ALETA A. TRAÚGER U.S. District Judge